

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Thomas G. Egner, Esquire
McDowell Law, PC
46 West Main Street
Maple Shade, NJ 08052
(856) 482-5544
Attorneys for Debtor

In Re:
Robert P. O'Neill



Order Filed on July 12, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-16644
Hearing Date: 7/12/2022
Chapter: 13
Judge: ABA

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: ☐ Followed ☒ Modified

The relief set forth on the following pages numbered two (2) and three (3) is
ORDERED.

DATED: July 12, 2022


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

After review of the Debtor's motion for authorization to sell the real property commonly known as 159 S Fellowship Road, Maple Shade, NJ 08052, New Jersey (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional: Nicole Snyderman, Realtor

Amount to be paid: 6% of Sale Price

Services rendered: Listing, marketing and assisting with sale of the property through closing

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ 25,150.00 claimed as exempt may be paid to the Debtor.
6. The ☐ *balance of proceeds* or the ☒ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.
8. ☐ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.
9. Other provisions:
 1. In the event the Debtor's funds from the proceeds of the sale are not sufficient to complete Debtor's case, Debtor shall file a modified plan to address the remaining balance due and amended Schedule J.
 2. The 14 day stay of effectiveness be waived and the Order Authorizing the Sale be effective upon its entry.
 3. Creditor's lien shall be paid in full from the closing proceeds, pursuant to a proper payoff quote obtained prior to and good through the closing date.
 4. Any short payoff shall be approved by Creditor.
 5. The sale of subject property shall close within ninety (90) days from entry of Order Authorizing the Sale.

rev.8/1/15